THE COUNCIL ON POSTSECONDARY EDUCATION

Purpose and Goals

Powers and Duties

The Council on Postsecondary Education

Strategic Committee on Postsecondary Education

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Section 1: Purpose and Goals—The Postsecondary Education Improvement Act of 1997 (KRS 164.003)

- General Statements of Purpose KRS 164.003(1)
 - General welfare and material well-being of citizens depend in large measure on well-educated and well-trained workforce.
 - Reform is to improve the competitive edge for business by educating the workforce so as to achieve a standard of living in excess of the national average.
 - o Positive advancement of the welfare of the citizens can only be achieved by the incorporation of ethical standards, the historical moral principles.
- ♣ Six Goals—to be accomplished by 2020. KRS 164.003(2)
 - Seamless, integrated system strategically planned and adequately funded to enhance economic development and the quality of life.
 - Major comprehensive research institution ranked nationally in the top 20 public universities (UK).
 - o Premier nationally recognized metropolitan research institution (UofL).
 - Regional universities, with at least one nationally recognized program of distinction or nationally recognized applied research program. Work cooperatively to assure statewide access to baccalaureate and master's degrees of a quality at or above the national average.
 - Comprehensive community and technical college system, access to two-year general studies programs or for transfer to baccalaureate programs, development of workforce training with skills to meet the needs of a new and existing workforce. Remedial and continuing education to improve the employability of citizens.
 - Efficient, responsive and coordinated system of providers that delivers
 educational services to all adult citizens in quantities and of a quality equal to or
 above the national average and that significantly elevates the level of education
 of adults. This goal was changed in 2000 as part of the Adult Education Act.
 Prior to 2000, it read: "coordinated system of autonomous institutions . . ." and
 there was no reference to adult education. KRS 164.003(2)(f) as revised in 2000

- ♣ Achievement of these goals will lead to a society with a standard of living and quality of life that meets or exceeds the national average. KRS 164.003(3)
- ♣ Achievement of goals to be accomplished by increased educational attainment. KRS 164.003(4)
- **♣** Contributions to the quality of elementary and secondary education shall be a central responsibility of Kentucky's postsecondary education system. *KRS* 164.003(4)
- ♣ The best means of accomplishing the goals is a comprehensive system of postsecondary education with single points of accountability that ensure the coordination of programs and efficient use of resources. KRS 164.003(5)
- Independent institutions offer a rich and diverse choice. Commonwealth is best served by a broad array of providers. The independent institutions are a vital component and are to be a full partner in the postsecondary education system. This is a 2002 change. *KRS* 164.003(6)

Section 2: Purpose and Goals—Adult Education Act of 2000, as amended

- **♣** Purpose *KRS 151B.005*
 - Many adults need significant improvement in knowledge and skills to:
 - be full participants in the workforce and society, and
 - to develop and maintain healthy families.
 - Adult illiteracy is a fundamental barrier to major challenges that Kentucky faces including economic development.
 - Kentucky must be willing to address the low level of education of adults by engaging government, the education community, business and volunteer organizations.
 - Kentucky must develop a multi-faceted strategy to address the diverse needs of the undereducated adult population.

- ♣ A principal goal is to develop adult education services of a quality and quantity at or above the national average through a system of providers in order to significantly elevate educational levels of the adult population. KRS 164.003(2)(f)
- ♣ There is to be a program that stimulates attendance at and successful completion of the General Educational Development diploma.

Section 3: Purpose and Goals—The Kentucky Innovation Act of 2000, as amended KRS 164.6013

- ♣ The general welfare and material being of the citizens of the Commonwealth depend on immediate action to develop an entrepreneurial economy, characterized by knowledge, innovation, and speed.
- **↓** It is in the best interest of the Commonwealth to promote research, innovation, and high technology enterprises that utilize higher-order skills of an educated workforce.
- The provisions of the act are to be liberally construed.

Section 4: Powers and Duties—KRS 164.020

Prior to reform, there were 15 itemized responsibilities in KRS 164.020. Now there are 36.

- Strategic agenda and implementation plan
 - Develop and implement a strategic agenda and implementation plan with the advice and counsel of the SCOPE. KRS 164.020(1); also KRS 164.0203
 - Revise strategic agenda and implementation plan with advice and counsel of the SCOPE. KRS 164.020(2); also KRS 164.004
 - Strategic agenda goals should be reviewed at least every four years; the implementation plan should be reviewed at least every two years. KRS 164.0203(6)
 - In developing the strategic agenda, the Council is to seek input from the Kentucky Department of Education and local school districts. The plans, strategic agenda and implementation plan, are to be distributed to local school districts. KRS 164.0203(7)
 - Develop a system of public accountability related to the strategic agenda by evaluating the performance and effectiveness of the system. KRS 164.020(3)
 - Prepare an annual report for Governor, General Assembly, and the SCOPE.
 Report shall include contributions of postsecondary education to the quality of elementary and secondary education. KRS 164.020(3)
 - Review, revise, and approve institutional missions. The CPE is the final authority to determine institutional mission compliance with the strategic agenda. KRS 164.020(4)
 - Establish and ensure that institutions cooperatively provide for an integrated postsecondary system. KRS 164.020(5)
 - Technology plan is to be part of strategic agenda. KRS 164.020(20)
- Guard against inappropriate and unnecessary conflict and duplication by promoting transferability of credits and easy access of information. KRS 164.020(5)
- **♣** Engage in analysis and research to determine the overall needs. KRS 164.020(6)

- ♣ Develop plans required by federal legislation. KRS 164.020(7)
- Determine tuition. KRS 164.020(8)
 - o Differentiate between resident students and non-resident students.
 - o Criteria for determining non-resident tuition rates are delineated.
 - We include mandatory fees as part of tuition.
- ♣ Approve minimum qualifications for admission. KRS 164.020(8)
- → Devise, establish, and periodically review and revise policies for making funding recommendations. Adult Education was added in 2000. The CPE has "sole discretion" over the development of policies for the allocation of funds with advice from the SCOPE and the presidents. The CPE coordinates the biennial budget process. KRS 164.020(9) and (10)
- Approve all capital construction projects including real property acquisitions regardless of fund source.
 - Capital project recommendations are to be consistent with strategic agenda and with institutional missions.
 - The 1997 change in authority relates to real property acquisitions and making the CPE's authority over real property acquisition explicit. *KRS* 164.020(11)
- ♣ The CPE may require reports from the university presidents it deems necessary for the effectual performance of its duties. KRS 164.020(12)
- ♣ Develop a university track program within the KCTCS of 60 credit hours that is transferable to the four-year institutions. KRS 164.020(14)
 - The track program is to be designed so that the credits transfer and apply toward the requirements for a baccalaureate degree.
 - Successful completion of the track program is to satisfy the academic requirements for transfer as a junior.
 - By fall 1997 requirements for track programs are to be established for all majors and baccalaureate degrees.
- ♣ Academic Program Approval. Define and approve the offering of all degree, certificate or diploma programs. KRS 164.020(15) and (16)

- Authority over program approval was expanded to include authority to eliminate or make changes in academic programs.
- Criteria for evaluation of academic programs to be discontinued are listed. The
 criteria include mission consistency, alignment with the strategic agenda and
 implementation plan, elimination of unnecessary duplication, and efforts to
 create cooperative programs.
- The CPE is to expedite new program requests from the KCTCS, and the CPE is not to limit general programs that might restrict a community college's ability to meet goals of reasonable access for transfer to a four-year institution without General Assembly authorization.
- The CPE is not to abolish or limit the total enrollment of the general program
 offered at a community college without the consent of the General Assembly.
- ♣ The CPE is to ensure that governing boards and faculty are committed to providing instruction free of discrimination against students who hold different political views.
 KRS 164.020(17)
- ♣ Recommend new community colleges, technical colleges, and four-year colleges to the Governor. KRS 164.020(18)
- → Postpone the approval of new academic programs where institutions fail to meet equal opportunity goals. Institutions are to be eligible for a temporary waiver if the institution has made substantial progress. Administrative regulation required. KRS 164.020(19)
- ♣ Ensure the coordination, transferability, and connectivity of technology among the institutions. Develop a technology plan as a component of the strategic agenda. KRS 164.020(20)
- ♣ Approve teacher education programs subject to the Education Professional Standards Board. The sentence that makes the CPE approval subject to the EPSB standards is a 1997 change. KRS 164.020(21). See also KRS 158.840
- ♣ The CPE is the representative agency for postsecondary education in all matters of a general or statewide nature, i.e., Veterinary Medicine and Optometry Contract Spaces, SREB Technology Cooperative, and Academic Common Market. CPE to administer programs related to the southern regional compact KRS 164.020(22) and KRS 164.530 and 164.540
- ➡ Maintain procedures for institutions to designate a receiver of student records where an institution ceases to operate, both public and private. KRS 164.020(23)

- File report with the LRC on institutional compliance with AIDS statute, KRS 164.351. KRS 164.020(24)
- ♣ The CPE is to develop, in cooperation with each institution, a comprehensive orientation program for new CPE and governing board members. KRS 164.020(25)
- ◆ Develop a financial reporting procedure to be used by all public universities to ensure uniformity of financial information available to agencies and the public. KRS 164.020(26)
- Appoint a president. KRS 164.020(27)
- **★** Employ consultants as necessary. KRS 164.020(28)
- Promulgate administrative regulations. KRS 164.020(29)
- ♣ The CPE is to present an annual status report on postsecondary education by January 31 of each year. KRS 164.020(30)
- ♣ Ensure that the public system does not unnecessarily duplicate services and programs provided by independent institutions. The CPE is to receive and consider an annual report from AIKCU on the condition of the independent institution, and listing opportunities for collaboration between the state and the independent institutions. KRS 164.020(13) and (31)
 - The CPE is to promote maximum cooperation between public and independent institutions.
 - The CPE may contract with independent institutions to meet public needs.
 - The CPE is to consider the role, function, and capacity of independent institutions.
- Create advisory groups to assist the CPE. KRS 164.020(32)
- ♣ Develop a statewide policy to promote employee and faculty development. Regular full-time employees of postsecondary education institutions may take six credit hours of instruction per term tuition-free at any public postsecondary education institution. This benefit also extends to employees at regional vocational education centers. KRS 164.020(33)

- ♣ In 2000, KRS 164.020 was amended to add coordination of adult education to the list of the CPE responsibilities. In 2006, responsibility for adult education was formally transferred to the CPE. KRS 164.020(34)
 - The CPE is to develop a 20-year plan to raise the knowledge and skills of the adult population as part of the strategic plan.
 - The CPE is to promote coordination of programs, lead a marketing campaign, facilitate the development of strategies, and establish standards.
- ♣ Academic Content Standards. Create a new section of KRS 164.020 (35) to say,
 - Participate with the Kentucky Department of Education, the Kentucky Board of Education, and postsecondary education institutions to assure that academic content requirements for successful entry into postsecondary education programs are aligned with high school content standards.
 - Ensure that students who master the high school academic content standards shall not need remedial courses.
 - o The council shall monitor the results on an ongoing basis. KRS 164.020(35)
- - CPE is not permitted to disestablish or eliminate any college of law that became part of the state system through merger with a state college. KRS 164.020(36)

Section 5: Powers and Duties—KRS Chapter 164 Other Than KRS 164.020

- Contributions to the quality of elementary and secondary education shall be a central responsibility of the postsecondary education system. KRS 164.003(4)
- ♣ Best means to accomplish goals is a comprehensive system with single points of accountability. KRS 164.003(5)
- ♣ Review strategic implementation plan for the strategic agenda and advise the SCOPE.
 KRS 164.004(5)
- **↓** The CPE shall advise the SCOPE on allocation of funds for institutions. KRS 164.004(8)
- ♣ The CPE sets the qualifications for the president. The CPE is to employ a search firm and conduct a national search. The search firm is to propose three candidates, but the CPE may seek additional names either from the search firm or other sources. KRS 164.013(1)
- Powers and Duties of the President
 - President of the CPE is the primary advocate for postsecondary education and advisor to the Governor and the General Assembly on matters of postsecondary education. President is to work closely with the SCOPE and elected leadership. KRS 164.013(4)
 - The president of the CPE shall determine the staffing positions and organizational structure. The president may employ staff. KRS 164.013(8)
 - The president is responsible for the day-to-day operations. KRS 164.013(9)
 - The president shall submit the proposed budget to the CPE. KRS 164.013(9)
 - The president, with the approval of the CPE may enter into agreements with agencies, institutions, and other entities. KRS 164.013(10)
- ♣ The CPE is to adopt a strategic agenda and strategic implementation plan. Details are contained in statute. The strategic agenda is to: KRS 164.0203
 - Serve as a public agenda providing statewide priorities.
 - State important issues and aspirations.

- Sustain long-term commitment for constant improvement while valuing marketdriven responsiveness, accountability, technology-based strategies, and incentive-based motivation.
- Take into consideration the value of a liberal education and the needs of employers.
- o Review goals every four years and the implementation plan every two years.
- Seek input from the Kentucky Department of Education and local schools to ensure linkage between the two systems and to ensure a smooth transition from elementary and secondary education to postsecondary education.
- An institution with a speech pathology program is to align curriculum so that students may work in the area of exceptional children education; institution is to increase number of students subject to plans of the Council and working in cooperation with KYVC. KRS 164.0206
- ♣ The CPE is to select the site of the Collaborative Center for Literacy Development through a competitive bid process. The site is to be located at a public university within Kentucky. The CPE made this selection in 1999—UK was selected. The CPE and the CCLD are to develop goals and performance objectives. KRS 164.0207
- ♣ The CPE is to meet with the Advisory Conference of Presidents. The CPE is to provide the Advisory Conference of Presidents with a full agenda of each CPE meeting. The presidents may elect a spokesperson to meet with the CPE and the executive committee of the CPE prior to a CPE meeting. KRS 164.021
- ♣ The CPE is to run a professional education preparation program. KRS 164.028 and 164.0282
- ➡ The President of the CPE is to appoint a STEM Initiative Task Force, and work with the Steering Committee to improve Kentucky's economy by expanding and strengthening educational and economic development opportunities in science, technology, engineering, and mathematics. KRS 164.0285 through 164.0288
- The Area Health Education System (AHES) is recognized under the CPE. KRS 164.029
- Governing boards are to make changes in curricula, and in rules and regulations as are necessary to carry out the rulings of the CPE in regard to curricular offerings, entrance fees, and qualifications for admission. KRS 164.030

- ♣ Statute creating regional advisory groups was amended in 2000 to eliminate the requirement that the CPE create such groups. *KRS* 164.035
- → The CPE may create standardized degree programs. Definition of standardized degree programs is contained in *KRS* 164.001(19) Council may direct institution to collaborate and establish courses; council may make determinations of the content. All courses are to be transferable. *KRS* 164.037.
- ← Cancer Research Institutions Matching Fund is established. CPE is to administer fund.

 KRS 164.043
- ♣ Accountability system established. The CPE is to collect information, maintain a comprehensive database, adopt performance measures and establish system and institution goals, evaluate performance, and publish reports. KRS 164.095
 - Implement an accountability process that provides for a systematic, ongoing evaluation of quality and effectiveness in Kentucky institutions, and to provide a method for evaluating each institution's progress in meeting goals, principles, strategies, objectives, and benchmarks established in the Council's strategic agenda.
 - Monitor performance in instruction, research, and public service while recognizing individual institutional missions.
 - Adopt system-wide and individual (institution) performance goals identified by the Council with advice by the institutions.
 - Accountability system is to include measures of educational quality and outcomes, student progress, research and service, and use of resources, as well as other measures identified by the Council that support the strategic agenda.
 - Measure institutional performance of specific goals, principles, strategies, and benchmarks.
 - Accountability system is to include performance or outcome concerning the involvement in the enhancement of elementary and secondary education.
 - Council is authorized to collect information from the institutions and to maintain a comprehensive database.
 - The CPE is to provide the Governor and the LRC an annual report on the implementation of performance standards, the achievement of performance goals, and initiatives to be undertaken in the next year.

- ♣ CPE may not release funds to an institution for a teacher education program or model teacher program unless the EPSB has certified that the college or university has viable programs with local school districts, participates in teacher academies, has ongoing dialogue between liberal arts and science faculty and teacher education program, has an active recruitment program for minority faculty and students, has incentives or rewards for faculty across the university, has no major accreditation deficiencies, and has a program of consistent quality including instruction in a practicum and in student teaching. KRS 164.097
- CPE is to develop and implement administrative regulations concerning rules for awarding of credit for advanced placement and dual credit. KRS 164.098 and 13 KAR 2:025
- Colleges and universities shall make student records available to the Council for the purpose of the CPE conducting academic research. KRS 164.283
- Council is to file annual report on the graduation rates Foster and Adopted Children Scholarship recipients (in the aggregate) by November 30 of each year. KRS 164.2847
- ↓ Vocational and non-vocational programs may be operated by the four-year institutions as approved by the CPE. Joint programming and articulation of associate degree and non-degree vocational programs shall be pursued. Programs below associate degree at the four-year institutions require CPE and KCTCS approval. This is not a new statute but is renumbered as part of House Bill 1. KRS 164.296
- CPE to develop housing and security policies for institutions with residence facilities where disabled students are located, so that disabled students have a safe environment in which to study and live. KRS 164.376
- ↓ Lung Cancer Research Project and the Lung Cancer Research Board are created. Board attached administratively to the Council. The University of Kentucky and the University of Louisville are to collaborate. KRS 164.476
- The Textbook Accessibility Act authorizes CPE to:
 - create a State Repository for Alternative Format Instructional Materials for the purpose of making electronic information available to disabled students to the extent that funds are available;
 - work with institutions to develop policies and procedures that ensure disabled students have access to instructional materials;

- work with various groups to include in the Council's annual report a continuing assessment of the need for technical assistance, training and other support that makes instructional materials available to disabled students in alternative formats; and
- o promulgate administrative regulations. KRS 164.477
- ♣ The Council shall select one institution to offer an interpreter training program to ensure that qualified interpreters are available to meet the needs of deaf and hard of hearing individuals. KRS 164.4781
- ♣ The Council is authorized to choose the location for a Center of Mathematics and to receive and disburse funds for the Center. KRS 164.525
- ➡ The Council is designated the agency of the Commonwealth to carry out the obligations, participate in planning and negotiations, and administer rights, benefits and privileges through Southern Regional Compact. KRS 164.530 and 164.540
- ♣ The CPE was given authority to resolve conflicts between the University of Kentucky board of trustees and the KCTCS board of regents related to the delegation of authority necessary for the transfer of resources from the UK to the KCTCS. This statute was included for the transitional period after the creation of the KCTCS. KRS 164.5807(8)
- ♣ The universities and the KCTCS are to recognize and accept transfer credits for the courses that were accepted prior to the creation of reform unless a substantial change in content can be demonstrated. The CPE is to settle disputes. KRS 164.5833
- Chairman of the Council serves on the Interagency Commission on Educational and Job Training Coordination. KRS 164.740 and 164.745
- ♣ The CPE is given responsibility for strategic investment and incentive funding programs. Six are created. The CPE has authority to issue guidelines. KRS 164.7911 through 164.7927
- ♣ Statutes giving the CPE policy authority over the KEES program were amended in 2005 transferring that authority to the KHEAA. The Student Financial Aid and Advancement Trust Fund assets also were transferred to the KHEAA. KRS 164.7927
- Virtual university is created and assigned to the CPE. Policies and control are under authority of the CPE, with limitations. KRS 164.800

- The Distance Learning Advisory Committee is created to advise the CPE. The CPE establishes the committee, but the presidents, executive director of the KET, and a representative of the AIKCU institutions are included by statute. KRS 164.800(2)
- The CPE is to establish policies to control and promote the use of distance learning systems to increase availability of academic programs (access). KRS 164.800(3)
- Regional universities are to be primary developers and deliverers of baccalaureate and master's degree programs. The UK, UofL, and independent institutions not precluded. KRS 164.800(3)
- The CPE is to determine allocation of tuition, course offerings, source of courses, and technology to be used. *KRS 164.800(4)*
- ♣ The Colleges of Medicine at UK and UofL shall submit a joint plan which defines an optional course of medical education for family practice and general practice within a six (6) year period following completion of secondary school. KRS 164.915
- New residency positions (physician) shall be sponsored at UK and UofL at sites approved by the specialty board and the Council, and following policies procedures and criteria approved by the Council. KRS 164.929
- ↓ UK is to report to the Council and to LRC a detailed, audited statement of expenditures for each program function in the Center of Excellence for Rural Health Care; report is due by September 1 of each year. KRS 164.937
- ♣ The CPE president licenses private, non-profit institutions, and proprietary, baccalaureate degree-granting institutions. KRS 164.945-164.947
- Ensure institutions comply with the provisions of the Campus Safety Act (Michael Minger Act), including filing of annual report; this requirement applies to public, private, and proprietary institutions. KRS 164.948 to 164.993
- ♣ The CPE is authorized to operate a state autism training center and to promulgate administrative regulations. KRS 164.981, 164.9811, 164.9813, 164.9815, 164.9817, and 164.9819

- ♣ A new statute with KRS Chapter 164 is created to set forth obligations related alignment of curriculum. Senate Bill 1, 2009 REG. SESSION, Section 15.
 - By, April 24, 2009, each postsecondary education institution shall plan and implement a process to develop core academic content standards for reading and mathematics for introductory courses in the public postsecondary education institution.
 - Each institution is to have core academic standards for reading and mathematics by December 15, 2010, with a target date of December 15, 2009 for mathematics standards.
 - Standards between P-12 and postsecondary education are to be vertically aligned. P-12 educators are to be involved in making sure of the vertical alignment.
 - The Council and the Kentucky Department of Education are to coordinate activities to avoid duplication of effort and conflicting standards.

Section 6: Non-KRS Chapter 164 Postsecondary Education Statutes

- High Performance Building Advisory Committee is created in the Finance and Administration Cabinet to develop standards for high-performing building construction (energy efficiency) for the state. The president is to designate one member to the committee; one member is appointed by the Governor from the UK College of Design. KRS 56.777
- Equine Revolving Trust is created.
 - 0.2% of revenues from pari-mutual betting are reserved for funding the equine industry program at the University of Louisville. KRS 138.510(5)
 - 0.1% of revenues from pari-mutual betting is to be deposited to a trust and revolving fund to be used for the construction, expansion, or renovation of facilities or the purchase of equipment for equine programs at state universities. These funds shall not be used for salaries or for operating funds for teaching, research, or administration. Funds allocated under this subsection shall not replace other funds for capital purposes or operation of equine programs at state universities. KRS 138.510(6)
 - CPE is the administrative agent for the state university programs, is to establish an advisory committee who will evaluate proposals and make recommendations for the distribution of funds. The Council may issue administrative regulations. KRS 138.510(6)
- ← Center for Middle School Academic Achievement is created to improve middle school teacher performance through professional development programs. The Center is to be a collaborative project between P-12 and postsecondary education; it is administered by the Kentucky Department of Education. The Council, with participation of the Kentucky Department of Education and the Education Professional Standards Board, is to develop a process to solicit, review, and approve the location of a Center. Location of Center to be determined by November 2000. KRS 156.555(3)
- ★ Kentucky Department of Education, Commissioner of Information Systems, and a Council representative are to develop a long-term plan for distance education technology. Date of plan is July 1, 1993. KRS 156.671
- ♣ New provisions were added in 2009 for academic content intended to ensure that the curricula in the P-12 system and in postsecondary education are aligned.
 - By April 2009, the Kentucky Department of Education and the Council shall plan and implement a comprehensive process for revising the academic content standards in reading, language arts including writing, mathematics, science,

social studies, arts and humanities, and practical living skills and career studies. The revision process shall include a graduated time table to ensure that all revisions are completed to allow as much time as possible for teachers to adjust their instruction before new assessments are administered. KRS 158.6453(2)(a)

- The commissioner of education and the president of the Council on Postsecondary Education shall ensure that the revised academic standards that are recommended to the Kentucky Board of Education for approval are aligned with postsecondary education course and assessment standards for the gateway areas of reading and mathematics. The council shall also review the proposed academic standards in all other content areas and provide written recommendations as needed to ensure those areas are aligned with postsecondary education requirements. KRS 158.6453(2)(f)
- P-12 content standards are to be approved by December 15, 2010. Revisions for teacher preparation programs are to be done by January 15, 2011. KRS 158.6453(2)(h)
- EPSB, working with the Kentucky Department of Education and the Council will coordinate information and training sessions on the new content standards in all of the teacher preparation programs. KRS 158.6453(2)(i)
- The Council, in cooperation with the Kentucky Department of Education and the postsecondary education shall coordinate information sessions for faculty who teach in the content areas. KRS 158.6453(2)(j)
- See, also KRS 164.020(35).
- ♣ Accelerated learning is recognized. Students who are in need of individualized instruction are to receive intervention strategies developed by the local school districts. The Council and the institutions are to cooperate with the Kentucky Department of Education and the local school districts and offer support and technical assistance in the development of accelerated learning programs and courses. KRS 158.6459
- ➡ The Kentucky Institute for Education Research Board is created for the purpose of evaluating the KERA reforms. Board is under the direction of the State Board of Education. Board can be created as a 501(c)(3) charitable organization. Council is to receive annual report of the board. KRS 158.646
- ♣ State Advisory Council for Gifted and Talented Education is created and attached to the Kentucky Department of Education. Three members are to be from postsecondary education institutions appointed by the Governor; one ex officio, nonvoting member is designated by the president. KRS 158.648

- ♣ The Kentucky Science and Technology Corporation, Inc. is to find ways to expand the number of mathematicians and scientists in Kentucky. One way is to create a scholarship program and to hold a science and math competition for middle and high school students. The Council is asked to work with KSTC to choose a name of a Kentuckian of national or international acclaim as a scientist, mathematician, or engineer—the program would be named for this individual. KRS 158.799
- ♣ The Early Mathematics Testing Program is created to reduce remediation in mathematics for individuals attending college. The Council is to select a postsecondary education institution to house the Center by September 1, 2000. The Council is to receive an annual report from the Center it selects. KRS 158.803
- ♣ The data research initiative was created in 2005 as a partnership between elementary and secondary education and the postsecondary education research universities. The Kentucky Department of Education and the CPE are to jointly facilitate the project. The purpose of the initiative is to:
 - expand the availability of computing resources not available at the research institutions;
 - o to do education outreach in Kentucky's K-12 system;
 - o to expand the research institutions' presence throughout the state; and
 - maximize the use of computer assets that have already been purchased in K-12 systems but are often underused.
 - o Report due, December 2005. KRS 158.807
- ♣ The legislation creating the Center on Mathematics (KRS 164.525) also gave the CPE a charge to work with the Education Professional Standards Board to ensure that teacher education programs are fulfilling the need for highly skilled educators. KRS 158.840(5)
- ➡ The CPE is to coordinate federal and state programs it administers to ensure student achievement in reading and mathematics, to avoid duplication, and ensure the efficient use of resources. KRS 158.840(5)
- ♣ The Committee for Mathematics Achievement is hereby created, and attached to the Kentucky Department of Education for the purposes of developing a multifaceted strategic plan to improve student achievement in mathematics at all levels of schooling, prekindergarten through postsecondary and adult.
 - o Council president or designee is a member.

- Two representatives are to come from public postsecondary education institutions with the approval of the Council president
- Two adult education instructors are to be selected by the Vice President, Kentucky Adult Education. KRS 158.842
- Mathematics Achievement Fund is created. Funds appropriated to the Center for Mathematics are to be administered by the Council. KRS 158.844(4)
- ♣ The Council and the Kentucky Department of Education are to have rules in place that provide guidelines for parents and students to challenge the content of student records. Both agencies are to develop rules for the entities that are within their jurisdiction. KRS 160.730
- ♣ EPSB is to develop and the EPSB and the Council are to evaluate the preparation programs for principals and maintain only those institutional programs that can demonstrate both the quality and the capability to enroll adequate numbers of students to justify the resources necessary for maintenance of a quality program. KRS 161.027
- ♣ The Kentucky Department of Education, in cooperation with EPSB, the Kentucky Board of Education, local school districts, colleges and universities, and the Council is to develop a plan to increase the number of minorities employed in Kentucky as teachers and administrators.
 - A plan is to be developed by January 2001 described as a multi-dimensional plan to increase participation in teacher education generally.
 - o Plan to include early recruitment and awareness programs.
 - The Kentucky Department of Education and the EPSB are to report on minorities enrolled in teacher education programs. KRS 161.165 and 161.167
- ♣ The Kentucky Commission on Autism Spectrum Disorders is created to develop a comprehensive state plan for creating an integrated system of training, treatments, and services for individuals of all ages with an ASD. Council chair or designee is a member. Council is to have input into the schedule and calendar for implementation of the plan. KRS 194A.622
- ♣ Early Childhood Development Authority created. Council recommends three persons, one of whom is a female to the Governor who selects one person. KRS 200.700
- ♣ E-Health Board is created. CPE president or designee is ex officio, voting member. Presidents or designees of UK and UofL are co-chairs. KRS 216.265

- ♣ Establishes an industrial hemp research program in Kentucky. The Council is to select a research institution as a state program. KRS 260.863
- ♣ Nursing Workforce Foundation is created to provide a mechanism to secure outside funding to address nursing shortage through training. CPE president or designee is a member. KRS 314.452 and 314.450 through 314.464
- ♣ Each school of nursing is to file an annual report by August 1 of each year on strategies to recruit and expand enrollment and preparation of students who are prepared to secure licenses including improvement of cultural diversity in the student body. Report also goes to LRC. KRS 314.464

Section 7: Powers and Duties—Adult Education Act of 2000, as amended

- ♣ Definitions for the adult education program are contained in KRS 164.007.
- ♣ The adult education and literacy program is created and assigned responsibility for the adult education mission. The mission is to reduce the number of adults who are at the lowest levels of literacy. KRS 164.023
 - The program is assigned to the CPE.
 - Program is to be headed by a vice president appointed by the president of the CPE.
 - o Program is to be organized within the CPE by the president of the CPE.
 - Kentucky adult education program is the sole state agency for state and federal planning related to adult education and literacy.
- ♣ The CPE is to engage in analysis and research to determine the overall needs of adult education. KRS 164.020(6)
- ♣ Devise, review, and establish policies related to budget recommendations for adult education that support strategies necessary to maintain necessary levels of literacy. KRS 164.020(9)
- ♣ Establish a statewide mission and a twenty-year plan for adult education for raising the knowledge and skills of the adult population. KRS 164.020(34)
 - Promote coordination of programs and responsibilities with other state agencies.
 - Facilitate the development of strategies to increase the level of knowledge and skills of adults in all counties by promoting the efficient and effective coordination of resources.
 - Lead a statewide public information and marketing campaign to convey the challenge of adult illiteracy.
 - Establish standards and measure progress toward meeting goals including goals established for federal programs.
 - Administer the funds appropriated to the Adult Education and Literacy Initiative Fund.

- → Strategic agenda statute was altered in 2000 to include adult education and to say that there will be a long-term strategy to improve knowledge and skills of the adult population, and to ensure life-long learning opportunities for adults. The strategic agenda is to include strategies to engage state agencies, business and civic leaders and voluntary organizations. KRS 164.0203(8)
- ♣ The CPE, in conjunction with the adult education program, and the Collaborative Center for Literacy Development is to assess the need for technical assistance, training, and other support. There is to be a coordinated approach to adult education. The CPE is to engage universities, the KCTCS, elementary and secondary education, civic and business leaders, and volunteer organizations. KRS 164.035
- ♣ A statewide Adult Education Initiative Fund is created under the control of the CPE. The CPE is to determine the guidelines for the distribution of these funds.
 - The statute contains details on the types of programs and strategies.
 - The adult education unit within the CPE is charged with the responsibility for implementing the strategic agenda and the funded initiatives. KRS 164.041
- ★ Kentucky Adult Education may enter into new agreements to train workers for new and expanding industries. KRS 151B.120
- ♣ Promulgate administrative regulations necessary to implement the General Educational Development program. KRS 151B.127
- The Adult Education Foundation is created. KRS 151B.130
- ♣ The Bluegrass State Skills Corporation is created. The president of the Council is a member. KRS 154.12-205
- ♣ Provides that the Kentucky Adult Education program will participate with the Labor Cabinet, in establishing standards for attendance, performance, and progress for educational programs that are part of the benefits received by someone with pneumoconiosis. KRS 342.732(5)(e)
- ♣ Persons who have been convicted of misdemeanors or felonies, may be sentenced to complete GED Diploma training. KYAE is to promulgate regulations and administer the program. KRS 533.200 and 533.210

Section 8: Powers and Duties—The Kentucky Innovation Act of 2000, as amended

- ♣ The President of the CPE is a member of the Kentucky Innovation Commission. KRS 164.6015
- ♣ The CPE has all powers and authority not explicitly prohibited that is necessary and convenient to carry out this act. KRS 164.6017
 - Enter into contracts or agreements. In 2002, the power to enter into contracts
 was amended to say that the Commissioner of the Department of
 Commercialization and Innovation must approve all contracts with a science and
 technology corporation that relate to the new economy program structure and
 funding. KRS 164.6017(1)(c). See also KRS 154.12-278
 - Soliciting, borrowing, accepting, receiving and expending funds from any public or private source.
- ♣ The CPE may expend funds appropriated for reasonable administrative expenses, but the intent is that funds be used to directly fund project costs. In 2002, the General Assembly also stated that the first priority for the expenditure of excess revenues is to replace general fund appropriations. KRS 164.6017(2)
- A 2002 change in the duties of the Office of the New Economy requires that office to review and approve the annual plan for the distribution of new economy funds prior to the award of a contract with a science and technology corporation. This revision in authority extends beyond the programs listed in the Kentucky Innovation Act and includes the Experimental Program to Stimulate Competitive Research (EPSCoR). KRS 154.12-278(3)(j)
- ♣ The CPE is to contract with a science and technology organization to administer the Research and Development Voucher program, Rural Innovation and Commercialization Fund programs. The CPE is to approve the application process and the type of outside review required. The requirement to contract with a statewide science and technology corporation was changed from may to shall. KRS 164.6017(3)
- Council members, employees, or their families may not directly or indirectly benefit from awards, contracts or agreements associated with the KIA. KRS 164.6017(4)
- ♣ The CPE shall submit an annual report by October 15 to the Kentucky Innovation Commission, the Governor, and the General Assembly on progress made under the Kentucky Innovation Act. KRS 164.6017(5)

- ♣ A Research and Development Fund is established and an R&D program is created under the control of the CPE. The purpose is to provide vouchers to small and medium companies so that they will undertake research and development with Kentucky universities. KRS 164.6021 through 164.6025
- → A Kentucky Rural Innovation Fund is established and a rural innovation program is created under the control of the CPE. This program is to enable small, rural Kentucky-based firms to undertake research and development and entrepreneurial innovation in partnership with postsecondary institutions in Kentucky. KRS 164.6027 through 164.6033
- ♣ A Kentucky Commercialization Fund is established and a program is created under the control of the CPE. The purpose is to develop promising technologies emerging from Kentucky universities. KRS 164.6035 through 164.6041
- ♣ A statewide science and technology corporation is to develop guidelines and recommend projects for funding under the commercialization program. The CPE has the final approval of the projects. KRS 164.6039
- ♣ The section that directed the CPE to create non-profit regional technology corporations that act as intermediary organizations primarily in rural areas was repealed in 2002.
- Innovation and Commercialization Centers that were added to the Kentucky Innovation Act in 2002 are the responsibility of the Commissioner of the Department of Commercialization and Innovation. KRS 154.12-310

Section 9: The Council on Postsecondary Education (CPE)

- The CPE was created in 1997. Prior to 1997, the CPE went by the name Council on Higher Education and Council on Public Higher Education.
- ➡ The CPE is an agency, instrumentality, and political subdivision of the Commonwealth and a public body corporate and politic having all powers, duties and responsibilities.
 KRS 164.011(1)
- Membership of the CPE
 - The Council is composed of 16 members.
 - 13 lay members appointed by the Governor from a list supplied by the Governor's Postsecondary Education Nominating Committee. KRS 164.011(1) and (2)
 - Six year terms.
 - Must be confirmed by the Senate and House of Representatives at legislative session following appointment.
 - Governor is to act to provide, inasmuch as is possible, equal representation of gender, political party, and race. Governor is to seek to ensure broad geographical and political representation. No more than two lay representatives may hold undergraduate degrees from any one Kentucky university. No more than three voting members (includes student and faculty) may reside in one judicial district at the time of appointment.
 - Faculty member appointed by the Governor from list of three nominees selected by the faculty representatives to the boards of trustees and regents. KRS 164.011(3)
 - Nomination to the Governor requires a majority vote of the faculty representatives.
 - Four year Term.
 - Full-time faculty member

- Student member appointed by the Governor from list of three nominees selected by the student body presidents of the public universities and the KCTCS. KRS 164.011(4)
 - Nomination to the Governor requires a majority vote.
 - One year term.
 - Full-time student.
 - Nominations to be forwarded to the Governor by June 1.
- Commissioner on Education. Term commensurate with term as Commissioner.
 Commissioner is nonvoting ex officio member. KRS 164.011(1)
- ♣ The members of the CPE select the chair and vice chair. KRS 164.011(8)
- → A person who is an elected or appointed state office or a person who is a member of a governing board of a state university in Kentucky is ineligible for appointment and may not serve as a member of the CPE. This does not apply to the Commissioner of Education. KRS 164.011(7)
- ♣ The CPE is to meet quarterly or upon the call of the chair or a majority of the CPE. KRS 164.011(9)
- ♣ A quorum is a majority of the appointive members. There are 15 appointed members so a majority is eight. *KRS* 164.011(10)
- ♣ Dismissal of the president and amendment of the strategic agenda requires eight votes.
 KRS 164.011(11)
- ♣ The appointees to the CPE may not serve more than two consecutive terms. KRS 164.011(12)
- ♣ The CPE members receive \$100 per day for each meeting attended. They also are reimbursed for necessary traveling and other expenses. However, a person who resides outside the Commonwealth shall not be reimbursed for out-of-state travel. Commissioner of Education is reimbursed for expenses in the same manner as he is reimbursed as Commissioner. KRS 164.050

Section 10: The Strategic Committee on Postsecondary Education (SCOPE)

- **♣** SCOPE is to serve as a forum for the exchange of ideas about the future of postsecondary education. KRS 164.004(4)
- ♣ The Governor is to advise SCOPE on the financial condition of the Commonwealth and the funds that might be available for allocation. KRS 164.004(6)
- **↓** The legislature is to respond and comment on information provided. KRS 164.004(7)
- ➡ The CPE is to advise the SCOPE on how proposed funds are to be allocated based on priorities and resources. But, nothing in the statute restricts either the legislature or the Governor. KRS 164.004(8)
- SCOPE has an advisory role: KRS 164.004
 - Receive reports from the CPE at least annually.
 - Review objectives and benchmarks.
 - o Consider and advise the CPE on general budget parameters.
 - Review biennial budget recommendations including:
 - Base funding;
 - Increases in base funding; and
 - Strategic initiatives including the criteria for distribution.
 - Serve as a search committee for the selection of the first president.
- Membership—Total membership is twenty-eight. KRS 164.004(1)
 - Seven members of the CPE including the chairman and the president.
 - o The Governor and six members appointed by the Governor.
 - Fourteen legislative members, seven from the House of Representatives and seven from the Senate including:
 - President of the Senate;

- Speaker of the House;
- Majority and Minority Floor Leaders of both houses;
- Minority Caucus member from each chamber;
- Member appointed by the president of the Senate and one appointed by the Minority Floor leader of the Senate;
- Member appointed by the Speaker of the House and one appointed by the Minority Floor Leader of the House; and
- The chairs of the House and Senate Appropriations and Revenue Committees.

August 11, 2006
Revised August 22, 2007
Revised February 24, 2009
Revised March 11, 2009
April 14, 2009